

**ASSEMBLY BILL**

**No. 1088**

**Introduced by Assembly Member Oropeza**

February 22, 2005

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An act to add Section 67385.7 to the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1088, as introduced, Oropeza. Public postsecondary education: mandatory orientation for incoming students.

(1) Existing law, the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Among other things, the act requires the governing board of each community college district, the Trustees of the California State University, the Regents of the University of California, to the extent the regents make the act applicable, and the governing board of independent postsecondary institutions, as defined, to adopt rules requiring each of their respective campuses to enter into written agreements with local law enforcement agencies that clarify operational responsibilities for investigations of Part I violent crimes, as defined, occurring on each campus.

The act also requires the governing board of each community college district, the Trustees of the California State University, the Board of Directors of the Hastings College of the Law, and the Regents of the University of California, to the extent the regents make the act applicable, to each adopt, and implement at each of their campuses or other facilities, a written procedure or protocols to ensure, to the fullest extent possible, that students, faculty, and staff who are victims of sexual assault, as defined, committed at or upon

grounds of, or upon off-campus grounds or facilities maintained by the institution, or upon grounds or facilities maintained by affiliated student organizations, receive treatment and information.

This bill would express the intent of the Legislature to, among other things, establish a mandatory prevention and education program about violence against women for all incoming students of the California Community Colleges, the California State University, and the University of California, working in collaboration with campus and community-based victim advocacy organizations.

The bill would require each campus of the California Community Colleges and the California State University, and request each campus of the University of California, to include prescribed data about crimes involving violence against women in a mandatory prevention and education program for all incoming students. To the extent that these requirements would impose new duties on community college districts, the bill would constitute a state-mandated local program.

The bill would require the Board of Governors of the California Community Colleges and the Trustees of the California State University, and would request the Regents of the University of California, to develop and adopt regulations setting forth procedures for the implementation of the bill by campuses in their respective segments.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 67385.7 is added to the Education Code,
- 2 to read:
- 3 67385.7. (a) It is the intent of the Legislature to accomplish
- 4 both of the following:

1 (1) To establish a mandatory prevention and education  
2 program about violence against women for all incoming students  
3 of the California Community Colleges, the California State  
4 University, and the University of California, working in  
5 collaboration with campus and community-based victim  
6 advocacy organizations.

7 (2) To urge campuses to consider establishing policies, and  
8 advising students, to the effect that alleged victims who come  
9 forward to report that they have been victimized will not be  
10 penalized if they violated the alcohol or substance abuse policies  
11 of the campus, or any other policies of the campus, during the  
12 violent incident.

13 (3) To urge campuses to develop innovative policies to  
14 generally encourage the reporting of campus crimes involving  
15 violence against women.

16 (b) Each campus of the California Community Colleges and  
17 the California State University shall, and each campus of the  
18 University of California is requested to, establish a mandatory  
19 prevention and education program for all incoming students  
20 about violence against women. This program shall include, but  
21 shall not necessarily be limited to, information about all of the  
22 following:

23 (1) Domestic violence, dating violence, sexual assault, and  
24 stalking crimes, including how to file internal administrative  
25 complaints with the institution and criminal charges with local  
26 law enforcement officials.

27 (2) Common myths about the causes of violence against  
28 women.

29 (3) The availability of resources for women who are victims of  
30 violence.

31 (4) How to encourage peer support for victims and the  
32 imposition of sanctions on offenders.

33 (c) The Board of Governors of the California Community  
34 Colleges and the Trustees of the California State University shall,  
35 and the Regents of the University of California are requested to,  
36 develop and adopt regulations setting forth procedures for the  
37 implementation of this section by campuses in their respective  
38 segments.

39 SEC. 2. If the Commission on State Mandates determines that  
40 this act contains costs mandated by the state, reimbursement to

- 1 local agencies and school districts for those costs shall be made
- 2 pursuant to Part 7 (commencing with Section 17500) of Division
- 3 4 of Title 2 of the Government Code.

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